King County	Department of Adult and Juvenile Detention All Divisions General Policy Manual
	Chapter 1 **Administration and Personnel Management**

1.03.052 Criminal Justice Information Services		Approved By:	Director Allen Nance
		Effective Date:	June 07, 2023
		Reviewed By:	PRC, ACCESS TAC
		Review Date:	May 24, 2023
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Purpose

Criminal history and personal information shall be used for business purposes only, in accordance with federal and state guidelines.

Policy

Department of Adult and Juvenile Detention (DAJD) will comply with state and federal laws and regulations pertaining to obtaining, securing, disseminating, disposing and misusing criminal justice information.

References

Federal:	FBI CJIS Security Policy
RCW's:	Chapter 10.97
	40.14.070
WSP:	ACCESS Violation Misuse Report
	ACCESS Manual
	Criminal History Procedure Template
	Disposal of Media Policy Template
	Misuse Procedure Template
Department Forms:	Misuse Reporting Guidelines

Definitions

ACCESS (A Central Computerized Enforcement Services System): A computer system established by the Washington State Patrol (WSP) in partnership with all of the subscribing, criminal justice agencies throughout the state. ACCESS provides services to the Washington Crime Information Center (WACIC), Washington State Identification System (WASIS), the National Crime Information Center (NCIC), the Department of Licensing (DOL), the Department of Corrections Offender File (DOC), the National Law Enforcement Telecommunications System (NLETS), and numerous regional systems.

Criminal Justice Information (CJI): All Federal Bureau of Investigations Criminal Justice Information Services (FBI CJIS), Washington State Patrol (WSP) or other law enforcement agency provided data including, but not limited to biometric, identity history, biographic, property, and case/incident history.

Digital Media: Shall include, but not limited to computer hard drives, CD and DVD disks, floppy disks, flash drives, removable memory devices, printer and copier hard drives, and other devices that may be used to store computer data.

Physical Media: Shall include, but not limited to paper documents, paper copies or

printouts.

State Identification Number (SID): A unique number generated by the Washington State Patrol to identify a person in the criminal history database.

Terminal Agency Coordinator (TAC): The Department's appointed point of contact for matters relating to CJIS/ACCESS information. The TACshall be Level II ACCESS certified and be responsible for ensuring that the Department is in compliance with ACCESS and CJIS systems policies.

Terminal: Any workstation or device staff can use to access, send or receive CJI.

A. General Guidelines:

1. ACCESS certified users may only use ACCESS and CJI in the performance of their duties. This information is strictly protected by state and federal law.
2. All terminal operators, including mobile data terminal users, must be certified at their appropriate level.
3. The attention field (or "ATN" field) in the King County ACCESS Interface must contain the following:
   a. Requestor's unique active directory credentials, generally last name and first initial (ex: LastF)
   b. Subject's full name
   c. Subject's date of birth
   d. Purpose code:
      1) "C" For official duties in connection with the administration of criminal justice (i.e., crimes, non-applicant riders and contractors or vendors not involved in the administration of criminal justice).
      2) "J" When conducting backgrounds for new criminal justice applicants, applicant riders and the 5-year re-background for certified ACCESS users.
      3) J and C are the only two authorized codes for use unless otherwise directed by the TAC.
   e. Specific reason for criminal history request (i.e., classification interview, personal recognizance interview, criminal justice application, etc.).
4. The TAC will retain a log of employee SID numbers, the date of all background checks, initial ACCESS certification, and subsequent ACCESS re-certifications.
5. ACCESS certified users may disseminate CJI, without utilizing the secondary dissemination log, to the King County Prosecuting Attorney's Office (PAO).
   a. When submitting a query for the purposes of disseminating to the PAO, the first initial and last name of the current King County Prosecutor elect with the abbreviation "PAO" in the ATN field.
6. The Department will maintain a Secondary Dissemination Log for any CJI provided to another verified law enforcement agency, other than the PAO. The information recorded in this log will include:
   a. The name of the person requesting the information.
   b. The full name of the agency.
   c. The date of the dissemination.
   d. A case number or specific reason
7. Department staff shall store all CJI in a manner consistent with the ACCESS manual and FBI CJIS Security Policy.
   a. Department staff shall not store CJI in OneDrive
   b. CJI shall only be stored in CJIS certified locations (ex., certified document libraries in Teams and SharePoint).
8. Department staff shall dispose of CJI in accordance with section C. of this policy

(see below).

B. Terminal Agency Coordinator (TAC):

1. A TAC shall be appointed by the Department (per WSP regulations).
2. The TAC shall:
   a. Serve as the Department's point of contact for matters relating to CJIS information access.
   b. Maintain a Level II ACCESS certification.
   c. Ensure the Department is in compliance with state and NCIC policies and regulations, including validation requirements.
   d. Ensure proper operator performance and strict adherence to regulations.
   e. Make prompt notification of CJI violations to the ACCESS Section.
   f. Ensure Department training is up to current standards and coordinate with the training officers/coordinator to ensure compliance with training requirements.
   g. Attend TAC Training once during the triennial audit cycle, at minimum.
   h. Facilitate the triennial audit with WSP (if no TAC is assigned the audit will be conducted with the Department head).
3. An assistant TAC can be assigned as necessary, based on department needs.

C. Disposal of CJI:

1. When no longer usable, digital and physical media that store and/or transmit CJI, classified or sensitive data shall be disposed of in accordance with the FBI CJIS Security Policy.
2. Physical media shall be disposed of by one of the following methods:
   a. Cross shredding using Department issued shredders.
   b. Placed in locked cross shredding bins for approved Department contractors to come on-site and cross shred, witnessed by an ACCESS certified user throughout the entire process.
3. Digital Media shall be disposed of by one of the following methods:
   a. **Overwriting** (at least 3 times) - a method of clearing data from magnetic media. As the name implies, overwriting uses a program to write (1s, 0s, or a combination of both) onto the location of the media where the file to be sanitized is located.
   b. **Degaussing -** a method to magnetically erase data from magnetic media. Two types of degaussing exist: strong magnets and electric degausses
   c. **Destruction –** a method of destroying magnetic media. As the name implies, destruction of magnetic media is to physically dismantle by methods of crushing, disassembling, etc., ensuring that the platters have been physically destroyed.

IT systems that have been used to process, store, or transmit CJI and/or sensitive and classified information shall not be released from the Department's control until the equipment has been sanitized and all stored information has been cleared using one of the above methods.

D. Misuse of ACCESS and CJI:

1. Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the WSP or any other misuse, or abuse of the ACCESS system may result in:
   a. Department disciplinary measures, up to and including termination.
   b. ACCESS Section punitive action.

c. Criminal prosecution.

2. All allegations of ACCESS misuse must immediately be reported, via the chain of command, to the Facility Major.
3. The Facility Major shall forward reports of misuse to the TAC and the Internal Investigations Unit (IIU) when appropriate.
4. The IIU Commander shall initiate an investigation regarding alleged ACCESS misuse.
5. When any evidence of ACCESS misuse surfaces, the Department TAC must submit an Access Violation Incident Report Form to the ACCESS Section Manager.
6. If ACCESS misuse is confirmed, the Department TAC shall provide the WSP with a report outlining the department's findings and elected level of discipline. If the allegations are founded, the Department will choose the level of discipline.
7. The WSP has the authority to impose additional sanctions, if warranted. This may include, but is not limited to, additional training, revocation of individual certification, or termination of the Department's system access.

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1.03.060, Employee Corrective Documents		Approved By:	Director John Diaz
		Effective Date:	January 25, 2022
		Reviewed By:	PRC, IIU Commander, OLR, HRDSM II
Distribution:		Review Date:	September 22, 2021

Purpose

To establish a protocol for the development of consistent coaching and counseling documents, in line with county policy, department policy, and management best practices. This policy applies to all department employees in its entirety, except where a Collective Bargaining Agreement (CBA) requires different standards or processes, in which case the CBA will take precedence only for those requirements.

Policy

It is the policy of the county and the department, to utilize positive coaching and counseling methods in its efforts to address employee performance deficiencies and minor conduct issues. The written instruments used to document the coaching and counseling process shall be used consistently, and with the intent of maintaining morale throughout the organization. Verbal counseling shall be direct, truthful, and intended to persuade employees to follow defined rules, best practices for safety, and adherence to the highest professional behavior standards. Written coaching and counseling documents shall be consistent, concise, and strive to minimize potential adverse consequences for employees.

Definitions

Corrective Documents: Written documents that are not considered disciplinary and are used by the department to coach and counsel employees on performance and minor conduct issues.

A. Types of Corrective Documents:

1. **Documented Verbal Counseling/Retraining:** A memorandum placed in the employee's personnel file after a supervisor or manager has discussed a performance or conduct matter with them directly or has provided them with refresher training on a performance or conduct matter.
2. **Letter of Expectations:** A letter placed in the employee's personnel file for an incident/occurrence precipitating the counseling outlining a supervisor or manager's expectations on how a process shall be performed, or behavior should be corrected, from that point forward, to an individual employee, or group of employees. A letter of expectations can also be used as the first level of a performance expectation discussion with individual employees

3. **Letter of Corrective Counseling (LOCC):** A letter placed in the employee's personnel file that gives the employee specific direction to adhere to a department rule, county rule or ordinance, or to change other unacceptable behavior or performance matters. Reference to a Code of Conduct section may be included, if applicable. This document shall remain in the employee's personnel file.

B. Procedures

1. All corrective documentation shall reference the potential for future discipline based on the described performance deficits or conduct issues. If the decision-maker (or designee) decides the performance deficits or conduct does not warrant more than an LOCC, the LOCC shall be issued at the shift level or by designee.
2. Prior to issuing any documentation, the decision-maker (or designee) will contact the IIU Records Manager to verify previous disciplinary history and comparable actions taken for similar conduct.
3. References to specific Code of Conduct Sections shall be limited to LOCCs, and only when specific Code of Conduct violations exist pertinent to the performance or conduct matter being documented.
4. Supervisors and managers shall use the department approved formats for each type of corrective documentation, and the signer of a document shall be the author.

C. Rebuttals/Administrative Appeals

1. Employees who receive a documented verbal counseling/retraining or a letter of expectations and take issue with it, may rebut the document in writing and/or verbally by requesting a meeting with the author of the document, or the person next higher in the chain of command.
2. Employees who receive a letter of corrective counseling and take issue with it may request an administrative appeal to the author of the document, or the person next higher in the chain of command.
3. The rebuttal and administrative appeals processes described here, are solely for the involved employee and are intended to encourage them to engage their supervisors or managers in a discussion to resolve any concerns directly and are not intended to be adversarial or evidentiary hearings. The referenced documents are not considered or used as discipline within the department. A shift/Guild representative may attend with the employee but shall not act as an advocate.

D. Exclusions

1. This policy does not apply to other LOCC formats previously agreed to with specific bargaining units for attendance, or parking issues, and does not preclude the creation of additional formats for other routine corrective documents agreed to with specific bargaining units.